

AMENDMENT AND RESPONSE**PAGE 16**

Serial No.: 09/921,945

Filing Date: 8/3/2001

Attorney Docket No. 100.133US01

Title: **CIRCUIT AND METHOD FOR SERVICE CLOCK RECOVERY**

REMARKS

Applicant has reviewed the Office Action mailed on March 8, 2005 as well as the art cited. Claims 1-40 and 42-60 are pending in this application.

Information Disclosure Statement

Applicant respectfully requests that a copy of the 1449 form, listing all references that were submitted with the Information Disclosure Statement filed on April 4, 2003, marked as being considered and initialed by the Examiner, be returned with the next official communication.

TERMINAL DISCLAIMER

Applicant submits a Terminal Disclaimer along with this Response to overcome the double patenting rejections.

Double Patenting Rejection

Claims 1, 10, 11, 12, 13, 14, 19-21, 22-25, 32, 35-37 were rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-8, 13, 18-19, 24-26, 28 and 30-32 of U.S. Patent No. 6,363,073. A Terminal Disclaimer in compliance with 37 CFR 1.321(c) is enclosed herewith to overcome this rejection.

Claims 1, 10, 11, 12, and 13 were rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-4 and 11 of U.S. Patent No. 6,157,646. A Terminal Disclaimer in compliance with 37 CFR 1.321(c) is enclosed herewith to overcome this rejection.

Claims 43, 49-52 and 56-57 were rejected under the judicially created doctrine of obvious-type double patenting over claims of U.S. Patent No. 6,721,328. A Terminal Disclaimer in compliance with 37 CFR 1.321(c) is enclosed herewith to overcome this rejection.

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Allowable Subject Matter

Applicant thanks the Examiner for indicating that claims 24-31 and 42 are allowed.

Claims 2-9, 15-18, 33-34, 38-40, 44-47 and 53-55 and 58-60 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In view of the terminal disclaimer discussed above, applicant respectfully asserts that these claims are allowable without amendment. Withdrawal of the objection is respectfully requested.

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CONCLUSION

Applicant respectfully submits that claims 1-40 and 42-60 are in condition for allowance and notification to that effect is earnestly requested. If necessary, please charge any additional fees or credit overpayments to Deposit Account No. 502432.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at 612-455-1680.

Respectfully submitted,

Date: April 15, 2005
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